

REMARKS

Claims 2-4, 6-9, 11-15, 17-19, 22-24 and 26-35 are pending in this application. Claims 18, 19, 22, 29 and 32 are amended and new claims 34 and 35 are added. Claim 32 is amended to maintain consistency with amended claim 18, from which it depends.

No new matter is added to the application by this Amendment. Support for the language added to claims 18, 19, 22 and 29 can be found within the specification at, for example, paragraphs [0036], [0038], [0164], [0171], [0329] and [0341] of U.S. Patent Publication No. 2006/0010017 (hereinafter "the 017 publication") for the present application. New claim 34 finds support in paragraph [0334] of the 017 publication, and new claim 35 finds support in paragraphs [0042] and [0043] of the 017 publication.

Reconsideration of the application is respectfully requested.

I. Rejection Under 35 U.S.C. §103

Claims 2-4, 6-9, 11-15, 17-19, 22-24 and 26-33 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over WO 94/01826 to Brown in view of "Simulation of Order Fulfillment in Divergent Assembly Supply Chains" (hereinafter "Strader"). The rejection is respectfully traversed.

The Patent Office acknowledges that Brown fails to disclose that the material, or product, can be available in a plurality of versions with a plurality of selectable features. The Patent Office alleges that Strader remedies the deficiencies of Brown by disclosing the concept of customizable products, and the "make-to-order" strategy. The Patent Office also alleges that it would have been obvious to one having ordinary skill in the art to combine the product customization of Strader with the simulation of order processing

of Brown because supply chains have a primary business objective of product customization to fulfill customer orders. Applicants disagree with these allegations.

The present invention requires the adjusted demand forecast to serve as a placeholder for new actual customer order and new actual dealer specifications of a finished product. In contrast, Brown addresses the problem of parallelizing tasks in conventional Manufacturing Resource Planning (MRP), Capacity Requirements Planning (CRP) or simulation of production of materials. Nowhere does Brown teach or suggest modifying or improving such processes.

Brown describes real customer orders along with a simulation which is performed based on these orders, where the simulation may comprise a capacity check. In the case, where the capacity check indicates an overload in a work centre, the planner can modify the order for example by renegotiating a due date with a customer (or other measures) (see page 10, lines 21-27 of Brown). Thus, simulation according to Brown is done in every case with actual, real order data. Estimated forecast data is not used in Brown, and therefore a matching of actual, real orders with demand forecast is neither disclosed nor suggested by Brown. Moreover, Brown does not teach or suggest incorporating actual customer orders into the production process on basis of estimated forecast data used as placeholders.

Contrary to the Patent Office's allegations, Brown and Strader, taken singly or in combination, do not teach or suggest matching adjusted demand forecast with actual customer orders as specifically defined in the present claims. With respect to Argument 3 in paragraphs 5 and 6 of the Office Action and steps g) and h) in paragraph 12 of the Office Action, the Patent Office alleges that Brown would show in Fig. 3 that actual

orders M1 and M2 are generated by modified orders for Fig. 1. Applicants respectfully disagree with this allegation.

FIG. 1 of Brown illustrates the relationship between input and output materials of a production process (see page 3, lines 34 and 35 of Brown). FIG. 3 of Brown illustrates a flow chart of material requirements planning for the example of FIG. 1 and there are only two actual, real customer orders for finished goods M1 and M2. For providing the ordered finished goods F1 and F2 to the customer, the producer has to purchase materials M1 to M10. FIG. 3 of Brown also illustrates the planning of such a purchase by generating orders for the child materials.

Generating orders for child materials does not teach or suggest a matching, but instead discloses a so-called exploding of parent materials. However, parent and child materials belongs to the same real customer orders, F1 and F2. Thus, M1 to M10 are not orders in the sense of the present invention. Orders in the sense of the present invention are customer or dealer orders for finished goods. In Brown, there is no distinction between adjusted demand forecast and actual customer orders, and thus, no matching. Forecast data is not used in Brown, but only real orders for finished goods F1 and F2 are used, which results in further real orders for child materials. The real orders for finished goods F1 and F2, which result in further real orders for child materials according to Brown does not teach or suggest the inventive matching of new actual orders with the adjusted demand forecast for expected orders for finished goods as required by the present claims.

Strader does not remedy this deficiency of Brown. Strader compares different Demand Management Policies, such as Make-to-Order (MTO), Assembly-to-Order

(ATO) and Make-to-Stock (MTS), with respect to the level of customization. For high customization, Strader proposes MTO (see paragraph 4.20 of Strader) – if customers are willing to wait. MTO is characterized by low responsiveness (see Table 3 of Strader). In contrast, the present invention solves the problem to increase the responsiveness, i.e. to shorten the time between order and delivery of a finished good.

Strader does not teach or suggest modifying or improving Demand Management Policies. Strader, at best, mentions customizing as a primary business objective, and associates customizing with the MTO strategy. However, MTO means that production is triggered by customer orders (see Table 3 of Strader).

However, in contrast to Strader, production for the present invention is triggered by demand forecast and new actual customer orders or new actual dealer specifications are incorporated into the order processing process by matching the adjusted demand forecast with at least one of the new actual customer order and the new actual dealer specification.

Thus, neither Brown nor Strader, taken singly or in combination, teach or suggest using the adjusted demand forecast as placeholders for new actual customer orders of a finished product and new actual dealer specifications of a finished product, wherein the new actual customer orders or new actual dealer specifications are incorporated into the order processing process by matching the updated demand forecast with at least one of the new actual customer orders and the new actual dealer specifications as required in amended claims 18, 19, 22 and 29.

Therefore, presently claimed computer program product, computer-readable storage medium, method for simulating order processing processes and simulation

system would not have been obvious to one of ordinary skill in the art in view of the teachings of Brown and Strader, taken singly or in combination.

Accordingly, reconsideration and withdrawal of the rejection of claims 2-4, 6-9, 11-15, 17-19, 22-24 under 35 U.S.C. §103(a) are respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 2-4, 6-9, 11-15, 17-19, 22-24 and 26-35 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Early and favorable action is earnestly solicited.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicant respectfully requests that this be considered a petition therefor. The Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account
No. 14-1263.

Respectfully submitted,
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